

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

YOUNG ADVOCATES FOR FAIR
EDUCATION,

Plaintiff,

v.

ANDREW CUOMO,
in his official capacity as Governor of the State
of New York,
BETTY ROSA, in her official capacity as
Chancellor of the Board of Regents of the State
of New York,
MARYELLEN ELIA, in her official capacity as
Commissioner of the New York State Education
Department,

Defendants.

Case No. 18 CV 4167

AMENDED DECLARATION OF CHAIM WIDGER

1. My name is Chaim Widger. I am over 18 years of age, am of sound mind, and am competent to testify. I submit this declaration in support of YAFFED's motion for preliminary injunctive relief in the above-captioned action.

2. The facts set forth in this declaration are based upon my personal knowledge.

A. My Background and Education

3. I was born in New Jersey, into an ultra-Orthodox Jewish family, and moved to Brooklyn, New York when I was about three years old. As a child, I attended ultra-Orthodox yeshivas for my education from roughly the ages of 3 through twelve.

4. I first attended the Torah Vyirah of Boro Park, now located at 1346 53rd St. in Borough Park, Brooklyn, from about the age of 3 until the time I turned 9 or ten years old.

5. Next, I attended the Talmud Torah Tiferes Bunim of Munkacs, located at 5202 13th Ave. in Borough Park, Brooklyn. I stayed at the Munkacs yeshiva until I was about twelve years old.

6. I believe that my schooling started in roughly 2000, and ended in 2008 or 2009. However, it is difficult for me to be sure—while attending the yeshivas, I did not understand and was never taught the Gregorian calendar, and so it is difficult to know in what year certain events occurred. I have to attempt to remember how old I was, and work backwards using my current age and the current year.

7. At both Satmar and Munkacs, the focus of my schooling was religious. Specifically, we started school at 8:30 or 9 am, and conducted what was essentially “bible study,” using the Torah, almost the whole day, until 3:30 pm. As we advanced at the schools, we eventually moved on to more advanced Talmudic texts. I grew up speaking Yiddish, and we conducted our religious studies in Yiddish as well.

8. Both yeshivas I attended taught certain secular subjects, but this education was extremely basic. We really only learned math and English. When it comes to English, we learnt our ABC’s and how to write very basic sentences. We also spent time learning how to copy lettering from a book onto the paper. We never learned grammar, syntax, or anything more advanced. The math we learned was also very basic—addition, subtraction, multiplication, and division. I do not recall any other subjects being taught. Unlike the religious studies, the secular studies did not advance as time went on and we got older. When I was in the 6th or 7th grades, I was reading at about a 2nd or 3rd grade level.

9. The secular studies were not prioritized. They were scheduled from about 3:30 to 5pm, but in practice there was little structure, and we spent most of the time running around,

jumping on desks, and throwing books. It was basically a free-for-all. We sometimes had teachers who were from within the community, who clearly did not know much more than we did. When teachers were brought in who were not of the Satmar sect, or not orthodox, they did not last long. We drove them crazy enough that they ended up quitting. There were occasional efforts to impose some discipline at first, especially the teachers from outside the Orthodox community, but it was never enough, and it never lasted.

10. The problem was systemic, in that the school clearly signaled that a secular education is not important. We were all but told that it was only being taught because it was required. The school and our teachers made clear that we were not going to school to learn math, or English, but that it was a necessary evil. The purpose of the school was to become rabbis, or at least a religiously educated Jew. It also seemed to me as though the purpose was to maintain orthodoxy.

11. After I turned about 12, I started attending a new yeshiva, called Torah Vodaath, located at 425 E Ninth Street, in Kensington, Brooklyn. They spoke English at this school, and taught more secular studies. Beginning to speak English at school helped me to learn it and be able to communicate with those who cannot speak Yiddish. I know that many students who go to other yeshivas until they reach adulthood are able to speak broken English, if that.

12. However, I had a lot of trouble adjusting to the new yeshiva. It was a very rigorous and open environment, very different from the environment I was used to, which was much more Orthodox. This culture shock caused me to develop anxiety, and depression., and some fairly serious behavioral issues. This is a pretty common experience as far as I know from speaking to friends and classmates, who have spent time outside of the ultra-Orthodox community.

13. I was sent to a treatment center in Utah to overcome these challenges, and spent about a year there. I attended a secular high school while I was there. When I came back to New York, I started attending a secular boarding high school. I'm grateful now that this happened, because I was able to learn so much more, but it was a huge challenge at the time.

14. The first time I opened my biology textbook, I did not know what any of the words meant. I also told my teacher that at my old school, the pages on evolution would have been torn out. I tried to take algebra, but had to catch up on years of middle-school math first—fractions, decimals, and the like. Because I started from so far back, it took me about six years to graduate from high school.

15. I am now attending college at Suffolk University, double-majoring in psychology and chemistry. I hope to graduate this year. In academics, I still feel behind in some subjects, but through hard work and preparation I am able to function.

16. The main place I still feel held back is when it comes to social and cultural issues. I have to work hard to figure out basic social conventions, like holding a conversation, or reading the room and feeling out social situations.

17. I have been lucky that my education has not estranged me from most of my immediate family, although we have all been essentially excommunicated by our extended family and the larger community. We all started to leave the community at the same time, when I started attending the more secular yeshiva. The reason for this was that my mother wanted me to get a good education. But this caused friction between my mother and father, who ended up divorcing over the issue—my father wanted to keep me and my siblings in the more Orthodox yeshivas. My father lives in Israel now, and has basically no contact with me, my mother, or my siblings.

18. I learned about the Felder Amendment at a YAFFED meeting. I started attending some YAFFED meetings earlier this year, probably a couple months before the Felder Amendment passed. I occasionally attend some YAFFED meetings, and spoke at the last press conference. When I learned about the Felder Amendment, I knew immediately that it was targeted at yeshivas. The law mentions very specific criteria that should only apply to yeshivas. It's also clear to me that it's favoring yeshivas.

19. I know that I am one of the lucky ones, and it saddens me to know that there are tens of thousands of children who are attending yeshivas, and who will be even further behind when they leave than I was. I worry about the future of the ultra-Orthodox Jewish community, especially because the politicians and community leaders have no interest in changing it.

20. In fact, the Felder Amendment is a clear endorsement of this system that leads tens of thousands of children to leave school with nothing more than a religious education. It tells me, and every other person in the state, that if a religious sect has the political connections, then it can carve out its own refuge from the law that no one else gets. If the Felder Amendment was not done for the sole purpose of making clear that the yeshiva education is acceptable, despite the terrible costs it imposes on the children, then I do not know what other purpose it could possibly have.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing
statements are true and correct.

Dated: September 7, 2018
Boston, Massachusetts

Chaim Wigder
Chaim Widger